

Message Text

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44

ACTION EUR-25

INFO OCT-01 ISO-00 SAJ-01 IO-14 NIC-01 CIAE-00 DODE-00

PM-07 H-03 INR-10 L-03 NSAE-00 NSC-07 PA-04 RSC-01

PRS-01 SPC-03 SS-20 USIA-15 DRC-01 /117 W

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P R 271546Z MAR 74

FM USMISSION BERLIN

TO AMEMBASSY BONN PRIORITY

INFO SECSTATE WASHDC 3177

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E.O. 11652: GDS

TAGS: PGOV, WB, GE, GW

REF:

A. BONN 4002

B. BERLIN 454

1. IN FIRST LOCAL PRESS COMMENT WE HAVE SEEN SINCE
ISSUANCE OF BK/L AND EMBASSY AIDE MEMOIRE, TAGESSPIEGEL
REPORTED MARCH 27 THAT SECOND CHAMBER OF FEDERAL
CONSTITUTIONAL COURT HAD CONSIDERED PREVIOUS DAY
INGRID BRUECKMANN'S APPLICATION FOR INJUNCTION AGAINST
HER EXTRADITION TO GDR. PAPER SAID COURT CONCERNED ITSELF
PRIMARILY WITH QUESTION OF ITS COMPETENCE IN
BERLIN MATTERS. NO INDICATION WAS GIVEN OF COURT'S
CONCLUSION ON THIS KEY QUESTION, AND IT WAS PREDICATED
THAT NO DECISION WOULD BE GIVEN BEFORE WEEKEND. PAPER
ALSO REPORTED THAT "SEVERAL DAYS AGO THE ALLIED
KOMMANDATURA REPORTEDLY INTERVENED IN THE BRUECKMANN
CASE AND FORBADE THE SENAT TO TURN OVER TO
THE CONSTITUTIONAL COURT THE BRUECKMANN DOCUMENTS."

2. IF WE RECEIVE QUESTIONS ON THIS ASPECT OF CASE, WE
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PROPOSE MERELY TO CONFIRM THAT KOMMANDATURA AND

EMBASSIES HAVE REAFFIRMED THEIR LONG-STANDING AND WELL-
KNOWN POSITION CONCERNING THE LACK OF COMPETENCE OF THE
FEDERAL CONSTITUTIONAL COURT IN BERLIN AFFAIRS.BORG

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Message Attributes

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Disposition Authority: morefirh
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